

# CITY COUNCIL PROCEEDINGS

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## MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, August 6, 2002

Tuesday, 9:02 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Donnita Payne Hostetler, Hospice Care Chaplain, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes --  
-- approved

The Minutes of the regular meeting of July 16, 2002 and the Executive Session meeting of July 23, 2002, were approved 7 to 0.

## AWARDS AND PRESENTATIONS

SERVICE CITATION Distinguished Service Citation was presented.

PROCLAMATIONS Proclamations previously approved were presented.

## PUBLIC AGENDA

### Parvan Bakardiev – Wichita Grand Opera.

Parvan Bakardiev Parvan Bakardiev said the Wichita Grand Opera had a very successful inaugural season. The Opera Company is supported by public, private, and other income. There are National and State endowments for which the Wichita Grand Opera is eligible; however, these endowments must be matched by local initiative funding.

Mr. Bakardiev asked that the City Council look favorable on the Wichita Grand Opera's request for local funding.

### King David Davis – Honorable Justice.

King David Davis King David Davis declared there is absolute honorable justice, and without justice, the result is violence. Mr. Davis asked the City Council to prepare for a smooth transition to honorable justice.

(Addendum) Presentation from Arkansas City and Winfield – Storm Clean-Up Assistance.

Arkansas City representatives: Mayor Arleta Rice, Commissioner Charles Jennings, City Manager Curt Freeland, and Assistant Superintendent of Public Services Randy Jacobs; present.

The Arkansas City delegation gave a power point presentation on the recent ice storm damage, and thanked the City of Wichita for manpower recovery assistance.

Charles Jennings Commissioner presented a check in the amount of \$32,295 toward the Fair Fares Campaign.

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Winfield representative, Mayor Mike Ledy, present.

Mayor Mike Ledy

Winfield, presented a plaque of appreciation and a Proclamation for assistance following the last ice storm. Mayor Ledy also presented a check in the amount of \$27,250 toward the Fair Fares Campaign.

## NEW BUSINESS

(Addendum 1A)

### **FAIR FARES**

### **FAIR FARES INITIATIVE – FRONTIER JET EXPRESS CONTRACT (MESA AIR GROUP).**

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 02-1702.

Lower air fares in and out of Wichita has long been a preeminent community need. Over the years, citizen surveys have ranked lower air fares as the highest priority for the City and region. Air fares have been excessively high for all forms of air travel, but most especially business travel. The City has undertaken a number of initiatives to introduce more competition in the air service market to reduce fares. Most recently, the community undertook to demonstrate the broad-base of support in the City, and regionally, through:

1. A Fair Fares Travel Bank wherein businesses pledged future ticket purchases as a marketing base to secure the services of one or more national low-fare air carriers.
2. A contract with AirTran Airways for low fare air service east to Chicago and Atlanta.

The City has continued efforts to expand the low fare air service program to provide for improved and lower cost air service to the western United States.

The Travel Bank has \$2.4 million of pledged ticket sales if a low-fare air carrier can be attracted to provide service to Denver and west. Using the travel bank pledges, the City has been able to secure a contract, subject to ratification by the City Council, with Frontier Jet Express (Mesa Air Group) for:

- Two departure flights and two arrival flights daily to and from Denver effective September 22, 2002.
- One additional departure flight and one additional arrival flight weekdays to and from Denver will be added on or before October 31, 2002.
- Connecting flights via Denver throughout the western half of the United States.

Frontier Jet Express (Mesa) will price the Wichita service within their discount pricing structure. Expected fare savings to the traveling public are estimated at \$12.5 million annually. All service will be provided by 50-seat Canadair Regional Jets. In addition to the Travel Bank pledges, the City will agree to provide other supplemental incentives, if needed, during the term of the contract. These include:

- Marketing funds of \$100,000 over the contract period.
- A revenue guarantee to Frontier Jet Express (Mesa) to underwrite any (monthly) losses capped at \$500,000 over the term of the agreement.

Marketing costs will be paid through the Airport Fund. The revenue guarantee costs will be paid through the City's Economic Development Fund (for economic incentives).

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Samuel Lentz

Sullivan Higdon and Sink, said the investment in this campaign in the only place to get a 100 percent return on investment immediately. Mr. Lentz urged approval of the Agreement.

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- Pete Austin      Airline employee, stated that he felt tax dollars are being used to eliminate airport jobs. United Airline is losing billions and is on the verge of bankruptcy. Mr. Austin questioned why the City would subsidize an airline with the worst accident record.
- Mayor Knight      Mayor Knight said all airlines were asked to work with the City – none would. Now, the airlines can lower rates to compete against companies with which the City has agreements.
- Council Member Pisciotte      Council Member Pisciotte spoke regarding safety of the airlines and inquired whether any airline employees in Wichita had actually lost their jobs.
- Council Member Martz      Council Member Martz said the City was almost under a mandate of the people to get lower airfares in Wichita. Many businesses left Wichita due to high airfares.
- Council Member Brewer      Council Member Brewer said lower airfares increases tourism and creates jobs. The Airport is now a business and that increases revenue.
- Council Member Fearey      Council Member Fearey stated that this is not a subsidy as much as an investment in the future and to keep businesses.
- Motion --      Knight moved that the contract with Frontier Jet Express (Mesa Air Group) for direct daily Wichita flights to and from Denver, subject to any minor technical adjustments by the Director of Law, be approved; and the necessary signatures be authorized. Motion carried 7 to 0.
- carried

## HALL OF FAME

### KANSAS SPORTS HALL OF FAME. (District V)

Allen Bell      Financial Projects Director reviewed the Item.

#### Agenda Report No. 02-1649

The Kansas "All-Sports" Hall of Fame was founded in 1961 as a part of the Kansas Centennial Celebration. Nineteen famous sports figures were inducted in the Charter Class and their portraits were displayed for a number of years at the State Fairgrounds in Topeka. The Hall of Fame was moved to the Elizabeth M. Watkins Museum in Lawrence in the 1970s and remained there until 1991 when the collection was moved to Abilene, KS. Including the 2001 Class of inductees, 90 of Kansas' most celebrated sports heroes have been enshrined into the Sports Hall of Fame. Each of the inductees is presented in the museum with a biography and a portrait.

Although Abilene, KS provided a suitable environment for the Kansas Sports Hall of Fame, it felt the need to explore other locations which may offer better opportunities to stabilize the funding requirements and provide opportunities for growth and expansion of the museum and special events programming. The City of Wichita and Sedgwick County joined forces to offer an incentive package that would be persuasive of the relocation of the Kansas Sports Hall of Fame to Wichita. After consideration of competing proposals from Topeka, Salina and Kansas City, Wichita was chosen as the new home of the Kansas Sports Hall of Fame.

As part of the incentive package, and subject to Council approval, the City of Wichita has offered to purchase and remodel a two-story, 27,000 square foot warehouse building in Old Town and contribute up to a maximum amount of \$225,000 over a two-year period to cover moving costs and initial operating costs. Sedgwick County's financial contribution is up to the maximum amount of \$100,000. The Wichita Public Building Commission will issue bonds to acquire and rehab the existing property, located at 238 North Mead. Rehab will be carried out by the City with Public Building Commission financing.

The City has acquired an option to purchase the Old Town building for a price of \$600,000. Cost of rehabilitation of the property is estimated to be approximately \$750,000. The Public Building Commission (PBC) has adopted a resolution, required by state law, stating its intent to issue up to \$1.4 million in lease revenue bonds, subject to approval of a financing lease by the City Council. Under this arrangement, the PBC will lease the remodeled building to the City and County, who will sublease the

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property to the Sports Hall of Fame for the same term as the bonds. The County's obligations under the PBC lease will be limited to its contribution of \$100,000. The sublease payments will equal the bond payments and pass through to a bond trustee for payment to bondholders. As part of the incentive offer to the Sports Hall of Fame, the City has offered to pay debt service on the PBC bonds for the first two years, relieving the Hall of Fame of responsibility to pay rent until the third year.

The Kansas Sports Hall of Fame was established by an act of the Legislature and is formally governed by a Board of trustees appointed by the Governor. The statute also provides for state Hall of Fame to contract with a private entity for administration of its activities and for use of a facility. A separate 501(c)(3) corporation has been established for that purpose. The board of directors of the current corporation, which is comprised in part by citizens of Abilene, will be reconstituted as part of the process of relocating and engaging with the City of Wichita. It is anticipated that one or more members of the new board will be appointed by the governing bodies of the City and County each.

The Kansas Sports Hall of Fame hopes to open its new museum in Old Town as soon as possible after the first of next year. To facilitate the fast-track implementation of this project, the City needs to secure the services of an architect to design the rehabilitation and remodeling work that is required. An RFP has been issued with responses due on July 31, 2002. The results of a staff screening and selection committee recommendation will be provided for City Council approval at the August 6 Council meeting.

The costs of acquisition and rehabilitation of the Old Town warehouse facility will be financed by PBC bonds and amortized over a 15-year term by sublease payments received from the Kansas Sports Hall of Fame, starting in year three. In the event the Sports Hall of Fame is unable to make sublease payments, the City will be obligated to pay off the PBC bonds. Payment of the PBC bond payments for the first two years, estimated to be \$260,000, paid out of debt service, and \$225,000 for startup and operating support, will be paid from the City's Economic Development Fund reserves.

It is proposed that the Old Town property be initially acquired by the City and deeded to the PBC at the time of the bond closing in September, in order to start rehab work on the facility as soon as possible. Adoption of a bonding ordinance and approval of the real estate purchase agreement will allow initial use of City funds, which will be reimbursed by PBC bond proceeds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that the incentive package, real estate Contract and architect selection of McCluggage, VanSickle, and Perry be approved; the Ordinance be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

## ORDINANCE

An Ordinance authorizing the City of Wichita, Kansas, to issue certain General Obligation Bonds of the City in an amount not to exceed One Million Four-Hundred Thousand Dollars (\$1,400,000) for the purpose of acquiring the real property and existing improvements located at 238 North Mead Avenue in the City of Wichita, Sedgwick County, Kansas, and repairing, renovating and further improving said property for use by the Kansas Sports Hall of Fame, introduced and under the rules laid over.

## TIF REDUCTION

### **REDUCTION OF NORTHEAST REDEVELOPMENT DISTRICT BOUNDARIES – TAX INCREMENT FINANCING.** (District I)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 02-1650

In 1995, the City Council took the necessary legal steps to establish the Northeast Redevelopment District for the purpose of generating tax increment financing for public improvements located within the district. The steps taken by the City Council established 1995 as the base year, from which the increase in property tax revenues (the tax increment) are measured. The Northeast Redevelopment

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district is not producing the increase in tax revenue that was anticipated due to changes in state law not associated with the 21st & Grove Redevelopment Project. It is proposed to remove areas from the district that have been affected by the change in law, in order to restore to the tax increment value added by redevelopment. This requires changing the district boundaries.

The current boundary of the Northeast Redevelopment District is bounded on the north by 25th Street North, on the east by Grove Avenue, on the south by 19th Street North, and on the west by Piatt Avenue. This area includes a large number of single-family residences along Piatt and Grove and south of Stadium Drive. In 1997, the Kansas Legislature passed a law that exempted the first \$20,000 of residential property value from certain taxes, which had the affect of offsetting increases in property value caused by redevelopment. As a result, the 21st & Grove Redevelopment district has not produced Tax Increment Financing revenues. The proposed new boundary removes the residential property from the district.

In 1997, the City Council took the necessary steps to adopt the redevelopment plan that included a feasibility study and a description of the redevelopment projects necessary to satisfy the requirements of K.S.A. 12-1771. Because there will be no change in the Redevelopment project area, or to the results of the feasibility study, it is not necessary to amend the redevelopment plan for the project.

Financial Considerations: Reducing the boundaries of the TIF district will restore aggregate incremental valuation and increase TIF revenue by an estimated \$95,000 per year.

Legal Considerations: K.S.A. 12-771 (as amended) allows cities to remove property from a redevelopment district by ordinance. The proposed Ordinance has been reviewed by the City's Law Department and approved as to form.

Council Member Martz Council Member Martz expressed concern regarding redistricting as a general practice.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Brewer moved that the reduction be approved and the Ordinance be placed on first reading. Motion  
-- carried carried 7 to 0.

## ORDINANCE

An Ordinance of the City of Wichita removing property from the 21st and Grove Redevelopment District, introduced and under the rules laid over.

## BUDGET

### 2003 ANNUAL OPERATING BUDGET AND REVISIONS TO THE 2002 BUDGET.

Mayor Knight Mayor Knight inquired whether anyone wished to speak and no one appeared.

There was no action taken on this Item.

## CITY COUNCIL AGENDA

### PROCLAMATIONS

--Community Unity Day

Motion – carried Knight moved that the issuance of the Proclamation be authorized. Motion carried 7 to 0.

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## APPOINTMENTS

### BOARD APPOINTMENTS.

Motion --  
-- carried

Lambke moved that the appointment of Paul Cavanaugh to the Historic Preservation Board be approved. Motion carried 7 to 0.

Motion --  
  
-- carried

Fearey moved that the appointments of Claire Willenberg (Board of Code Standards and Appeals); Randal Steiner (Historic Preservation); and Linda Matney, Bickley Foster, Robert Schreck, Richard Rumsey, Florena Schenewis, Maurine Willis, Rosalie Bradley, John Cohoon, Jaya Escobar, Robert Wine, David Pendergraft, and Kyle Irvin/Youth Member (DAB VI) be approved. Motion carried 7 to 0.

### CONSENT AGENDA

Knight moved that the Consent Agenda be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

## BOARD OF BIDS

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED AUGUST 5, 2002.

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

2002-2003 CDBG street, curb, gutter and sidewalk improvements- asphalt repairs - north of Harry, east of Ridge Road. (472-83460/602410/620333 /800204/662456) Traffic to be maintained during construction using flagpersons and barricades. (Districts II, IV, V & VI)

Kansas Paving Company - \$89,376.00 (Engineer's estimate)

Wild Rose from the west line of Lot 56, Block 4, to the east line of Lot 75, Block 4, and the east line of Lot 13, Block 6; Forest Lakes from the south line of Lot 41, Block 3 and the south line of Lot 13, Block 6 to the south line of Wild Rose; Wild Rose Court from the north line of Wild Rose to and including the cul-de-sac serving Lots 56 through 69, Block 4; and construct a Sidewalk on the south side of Wild Rose, from the west line of Lot 56, Block 4, to the east line of Lot 13, Block 6 to serve Forest Lakes Addition - north of 29th Street North, west of Ridge. (472-82327/765744/490855) Does not affect existing traffic. (District V)

Cornejo & Sons Construction - \$107,704.25

34th Street North from the east line of Lot 15, Block C, Ridge Port North 4th Addition, east and north to the north line of Lot 17, Block B, Ridge Port North Fourth Addition; On Brookview from the north line of Lot 17, Block B, Ridge Port North 4th Addition, north and west to the east line of Ridge Port; On Ridge Port from the south line of Brookview, south to the north line of Lot 10, Block A, Ridge Port North 4th Addition; and on Lakeway from the north line of Brookview, north to the north line of the Plat; and on Brookview COURT, from the north line of Brookview, north to and including the cul-de-sac; and Sidewalk along one side of 34th Street North from the east line of Lot 15, Block C, Ridge Port North 4th Addition to the north line of Lot 17, Block B, Ridge Port North 4th Addition; and along one side of Brookview, Ridge Port, and Lakeway to serve Ridge Port North 4th Addition - south of 37th Street North, east of Ridge. (472-83409/765735/490846) Does not affect existing traffic. (District V)

APAC – Kansas Inc. - \$307,628.55

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127th Street East from a point 590 feet north of 21st Street North, north to the Major Entrance of said Addition, to serve The Fairmont Addition - north of 21st Street North, west of 127th Street East. (472-83488/765715/490826) Street to be closed through construction; AND 127th Street East to serve Church of the Magdalen Addition - north of 21st Street North, west of 127th Street East. (472-83308/765726/490837) Street to be closed through construction. (District II)

Cornejo & Sons Construction - \$134,718.25 (Total aggregate bid)

Lateral 88, Main 1, Southwest Interceptor Sewer to serve Bosley's First Addition, Stardust Addition, and Unplatted Tract - along Broadway, north of MacArthur. (468-82967/743793/480481) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$200,000.00

Utility Contractors - \$127,817.00

2002-2003 CDBG street, curb, gutter and sidewalk improvements-sidewalk repairs - north of Central, east of Arkansas. (472-83461/602410/800204) Traffic to be maintained during construction using flagpersons and barricades. (Districts I & VI)

Kansas Paving Company - \$90,000.00 (Engineer's estimate)

2002 Contract maintenance pedestrian bridge at Murdock and Westlink over the Westlink Tributary to Cowskin Creek - north of Central, east of Maize Road. (472-83473/132712/) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Utility Contractors – Award Contract for \$35,000.00

Southeast Water Transmission Main Phase II - Along K-15 from Kansas Turnpike to Pawnee. (448-89698/633740/751884) Traffic to be maintained during construction using flagpersons and barricades. (District III)

G C Construction - \$2,589,382.00

Main 13, Sanitary Sewer #23, Phase I - north of 37th Street North, east of Hydraulic.(468-83262/624072 /651539) Traffic to be maintained during construction using flagpersons and barricades. (District I)

Mies Construction - \$333,300.00

Four Mile Creek Sanitary Sewer Improvements-CIPP/Phase - north of Central in 143rd Street East. (468-83470/624076/652538) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$370,935.00

Insituform - \$184,941.80

2002 Contract maintenance curb & gutter and Miscellaneous Street Repairs (at various locations City wide) (north of 55th Street South, east of 135th Street West. (472-83613/132712/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV,V&VI)

Barkley Construction - \$300,000.00 (Engineer's estimate)

2002-2003 CDBG street, curb, gutter and sidewalk improvements - north of Harry, east of Arkansas. (472-83462/602410/800204) Traffic to be maintained during construction using flagpersons and barricades. (Districts III & VI)

Kansas Paving Company - \$211,500.00 (Engineer's estimate)

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2002 sanitary sewer rehabilitation, Phase E - in Kellogg at Sheridan. (468-83445/620347/662470)  
Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Insituform Technologies - \$111,647.00

Water distribution system to serve Flat Creek Addition - north of Pawnee, east of 119th Street West.  
(448-89583/735070/470740) Does not affect existing traffic. (District V)

Duling Construction - \$47,360.00

Water distribution system to serve Ridge Port Commercial Park and Ridge Port Second Addition -  
north of 29th Street North, west of Ridge. (448-89699 /735069/470739) Does not affect existing  
traffic. (District V)

McCullough Excavation - \$78,200.00

Water supply line in Central from 143rd Street East to 159th Street East - in Central from 143rd East to  
159th East. (448-85991/633734/751830) Traffic to be maintained during construction using  
flagpersons and barricades. (District II)

Nowak Construction - \$554,159.04

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the  
lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be  
authorized. Motion carried 7 to 0.

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Motorola Radios. (097817)

Nex-Tech, Inc. - \$14,992.25 (Total net bid)

PUBLIC WORKS DEPARTMENT/TRAFFIC MAINTENANCE DIVISION: Traffic Sign Faces.  
(132217)

Vulcan, Inc./dba Vulcan Signs - \$20,410.30 (Group 1/total net bid)

Whitco Sign & Manufacturing Corp. - \$2,554.20 (Group 2/total net bid)

AIRPORT AUTHORITY/ENGINEERING DIVISION: Mid-Continent Drive Rehabilitation. (501060)

Cornejo & Sons Inc. - \$143,402.50 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Remove Carpet and Install  
Rubber Tile at Greenway and McLean Manor. (097817)

WG Samuels Co. - \$32,090.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Install Cultured Stone and  
Replace Canopy Ceiling at McLean Manor. (097817)

Original Rock Replicas - \$21,955.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Replace Roofing and  
Guttering at Various Single Family Sites. (097817)

Industrial Roofing - \$35,653.00 (Group I)

Larry Booze Roofing - \$27,424.00 (Group II)



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HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Install Roll-In Shower and Remodel Bathroom at McLean Manor. (097817)

A Good Plumber - \$13,185.13 (Total net bid)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Polymer for Use in the Wastewater Solids Dewatering Facility. (184754)

Ondeo Nalco Co. - \$.5073 (Item 2/per net dry ton/treated)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Waterworks Supplies. (181222)

US Filter - \$ 9.25 (Group 1/item 1/per each)  
\$10.35 (Group 1/item 2/per each)  
\$10.15 (Group 1/item 3/per each)  
\$40.65 (Group 1/item 4/per each)  
\$ 9.95 (Group 1/item 5/per each)

Water Products, Inc. - \$87.50 (Group 2/item 6/per each)  
\$31.00 (Group 2/item 7/per each)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Pipe Fittings: Group 1/Copper Setter; Group 2: Custom Setter. (181222)

Hajoca Corporation - \$6,210.00\* (Group 1/total net bid)  
\*2% 10, Net 30  
Water Products, Inc. - \$12,292.60 (Group 2/total net bid)

PARK DEPARTMENT/RECREATION DIVISION: Sod for Bridgeport Soccer Fields. (785019)

Sod Shop/dba Green-Glo Turf Maintenance - \$48,206.40 (Group 1/base bid)

HOUSING SERVICES/PUBLIC HOUSING DIVISION: Mowing, Trimming and Edging Services. (097027)

ProLawn Care, Inc.\* - \$45.00 (Item 1)  
\$20.00 (Item 2)  
\$45.00 (Item 3)  
\$56.00 (Item 4)  
\$75.00 (Item 5)

\*Award redirected

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

## LICENSES

### APPLICATIONS FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS /SERVICES:

#### Renewal Adult Entertainment

Valerie Washington	X-Citement Video	220 East 21st Street
Valerie Washington	X-Citement Video	3909 West Pawnee

#### New Adult Entertainment

David A. Cherry	Kansas Video Corp dba Video Adventures	1527 North Woodlawn
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## New Escort Service

Laura J. Johnson      Foxy Ladies Express      315 North Indiana

Motion --  
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

## APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Bui Van Hanh	Saigon Restaurant*	1103 North Broadway
Mark T. Ryan	Ryan Boys Inc.*	300 South Greenwich Road #21

		<u>(Consumption off Premises)</u>
David Bullington	Wal-Mart Supercenter #1507	3030 North Rock Road
Ben J. Schultz	T & E Oil Co. dba Pantry Plus #11	3935 North Broadway
Thuy T. Nguyen	Quick Pick	3733 North Arkansas
Mike Hoffman	Kwik Shop #714	4811 South Seneca
Mike Hoffman	Kwik Shop #722	3959 South Hydraulic
Mike Hoffman	Kwik Shop #731	710 West 29th Street North
Mike Hoffman	Kwik Shop #748	2809 East Douglas
Mike Hoffman	Kwik Shop #772	2750 South Oliver
David Holthe	Crossroads 66 #27050	7136 West Central
David Holthe	Mount Vernon 66 #27981	2001 South Oliver
David Holthe	Tyler 66 #27747	1254 South Tyler
David Holthe	Reflection Ridge 66 #27754	7236 West 21st Street
David Holthe	515 North Seneca #27645	515 North Seneca
David Holthe	Williamsburg 66 #27216	1350 North Oliver
David Holthe	Expressway 66 #27904	3311 North Rock Road
David Holthe	Broadway 66 #27375	4821 South Broadway
David Holthe	Lynncrest 66 #26635	1250 South Rock Road
David Holthe	Town West 66 #27222	4414 West Maple
Jim L. Smith	Farmer's Market, Inc.	2901 North Broadway
Thane Bowles	T & D Conoco	1535 East Pawnee

<u>New Operator</u>		<u>(Consumption on Premises)</u>
Elva Devora	Conquistado's Mexican Restaurant*	1504 West 21st Street

<u>Special Event</u>	<u>September 14-15, 2002</u>
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Cirilo P. Arteaga	American GI Forum	Twin Lakes Shopping Center
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\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --  
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

## **PLANS AND SPECS.      SUBDIVISION PLANS AND SPECIFICATIONS.**

There were no Sub-Division Plans and Specifications submitted.

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## **PRELIMINARY ESTS. PRELIMINARY ESTIMATES:**

- a) Improving Rock Road from 32nd Street North to K-96 - Rock Road at K-96 Bypass. (87 N-0198-01/472-83439/706830/201296) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$963,690.00
- b) Intersection improvements for 21st Street and Rock Road. (87 N-0199-01/472-83438/706829/201295) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$2,156,014.00
- c) Phase 2 water supply line improvements in 29th Street North, East of Maize Road - along 29th Street North, east from Maize Road. (448-89434/633715/750556) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$351,580.10
- d) 2002 wheelchair ramp and sidewalk - Phase 3 - north of Pawnee, east of Meridian. (472-83437 /706828/202294) Traffic to be maintained during construction using flagpersons and barricades. (District II, IV & VI) - \$184,690.00
- e) 2002 sanitary sewer reconstruction Phase 4 - various locations - west of Hillside, south of Central. (468-83443/620343/662466) Traffic to be maintained during construction using flagpersons and barricades. (District I & IV) - \$182,000.00
- f) 2002 sanitary sewer rehabilitation, Phase D - north of 21st, east of Hillside. (468-83444/620342/662465) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$300,000.00
- g) Lavon area sanitary sewer improvements, Phase 3 (CIPP) - east of Hillside, north of 13th Street North. (468-83307/624071/651524) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$209,000.00
- h) Underground utility work associated with Central Rail Corridor. (468-83473/636117/133116/772514) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$82,079.80
- i) Lateral 4, Main 19, Southwest Interceptor Sewer to serve Ridge Port Commercial Park - north of 29th Street North, west of Ridge. (468-83386/743927/480615) Does not affect existing traffic. (District V) - \$167,000.00
- j) Lateral 11, Main 17, Southwest Interceptor Sewer to serve Forest Lakes Addition - north of 29th Street North, west of Ridge. (468-82309/743934/480622) Does not affect existing traffic. (District V) - \$83,000.00
- k) Water distribution system to serve Forest Lakes Addition - north of 29th Street North, west of Ridge. (448-88708/735071/470741) Does not affect existing traffic. (District V) - \$40,000.00
- l) (Amended) – cost of Churchill Circle from the south line of Lot 24, Block 2, to the west line of Lot 34, Block 2; and Churchill Court serving Lots 27 through 31, Block 2, from the north line of Churchill Circle to and including the cul-de-sac to serve Wilson Farms 2nd Addition - south of 21st Street North, west of Webb. (765704/472-83245/490815) (District II) – Total Estimated Cost \$97,020.00
- m) (Amended) – cost of Hendryx from the west line of Lot 3, Block B, west to the north line of Reece Road; on Reece Road from the west line of Hendryx, south to the west line of McCormick Avenue; on McCormick Avenue, from the south line of Reece Road, east to the west line of Lot 15, Block B; on Reece Circle from the west line of Reece Road, north to and including the cul-de-sac - south of Maple, west of 151st Street West, (765712/472-82937/490823) (District V) – Total Estimated Cost \$255,450.00

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Motion – carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

## **DEEDS/EASEMENTS    DEEDS AND EASEMENTS:**

- a) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the Northeast 1/4 of Section 31, Township 27 South, Range 2 East of the 6TH P. M., Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- b) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Spring Lake, an Addition to Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- c) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the Street Right-Of-Way (Maryland Drive) and Drainage Dedication for the Gypsum Creek in Blocks E, F, and G of the Broadmoor Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- d) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the east half Lot 21, Block G, of the Broadmoor Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- e) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Lot 22, Block G, of the Broadmoor Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- f) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Lot 23, Block G, of the Broadmoor Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- g) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Lot 1, Hall-King 2nd Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- h) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the Langland Addition, Wichita, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- i) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the Conquistador Addition, Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- j) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Dwayne Addition to Wichita, Sedgwick County, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- k) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land along the west line of Mansfield Drive, Blocks 2 thru 8 of the Sunny-Brook Addition to Wichita, Kansas (War Ind Ph IV, OCA# 623323). No cost to City.
- l) Street Light Easement dated June 12, 2002 from Shawn & Angela B. Webb for a tract of land in Lot 39, Hillsdale Avenue (now Glendale Avenue), Highland View Addition to Wichita, Kansas (OCA# 132001). No cost to City.
- m) Drainage and Utility Easement dated June 26, 2002 from Ridge Port Group, LLC, a Kansas Limited Liability Company for a tract of land in Lots 14, 15 and 16, Block B, Ridge Port North 4th Addition, Wichita, Sedgwick County, Kansas (OCA# 765735). No cost to City.

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Motion --  
-- carried

Knight moved that the documents be received and filed; and the necessary signatures be authorized  
Motion carried 7 to 0.

## COST STATEMENT

### STATEMENTS OF COST:

- a) Improving Auburn Hills Clubhouse - south of Maple, west of 135th Street West. Total Cost - \$22,100.00 (plus idle fund interest - \$1,003.89, plus temporary note interest - \$1,252.11). Financing to be issued at this time - \$24,356.00. (765149/472-82988/490-616).
- b) Improving Auburn Hills Clubhouse - south of Maple, west of 135th Street West. Total Cost - \$16,900.00 (plus idle fund interest - \$811.91, plus temporary note interest - \$939.09). Financing to be issued at this time - \$18,651.00. (765156/472-82989/490-617).
- c) Improving Auburn Hills Clubhouse - south of Maple, west of 135th Street West. Total Cost - \$492.58 (plus idle fund interest - \$65.42, plus temporary note interest - \$0.00). Financing to be issued at this time - \$558.00. (765164/472-82990/490-618).
- d) Improving Auburn Hills Clubhouse - South of Maple, west of 135th Street West. Total Cost - \$114,400 (plus idle fund interest - \$7,324.79, plus temporary note interest - \$5,728.21). Financing to be issued at this time - \$127,453.00. (765172/472-82991/490-619).
- e) Improving Auburn Hills Clubhouse - south of Maple, west of 135th Street West. Total Cost - \$345,950.00 (plus idle fund interest - \$18,671.94, plus temporary note interest - \$16,836.06). Financing to be issued at this time - \$381,458.00. (765180/472-82992/490-620).

Motion -- carried

Knight moved that the Statements of Cost be received and filed. Motion carried 7 to 0.

## RIDGE PLAZA

### PETITION TO CONSTRUCT A STORM WATER SEWER TO SERVE PART OF RIDGE PLAZA EIGHTH ADDITION -- WEST OF RIDGE, SOUTH OF MAPLE. (District V)

Agenda Report No. 02-1651

The Petition has been signed by one owner, representing 100% of the improvement district.

The project will provide drainage improvements for an undeveloped retail area.

The Petition totals \$100,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. 02-350

Resolution of findings of advisability and Resolution authorizing improving of Storm Water Sewer No. 573 (west of Ridge, south of Maple) 468-83478, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## SIDEWALK

### **PETITION TO REPLACE SIDEWALK AT THE NORTHEAST CORNER OF DOUGLAS AND WABASH.** (District I)

Agenda Report No. 02-1652

The Petition has been signed by two owners, representing 100% of the improvement district.

The sidewalk is adjacent to a retail business.

The Petition totals \$8,500. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

#### RESOLUTION NO. 02-351

Resolution of findings of advisability and Resolution authorizing construction of sidewalk on Douglas east from the east curb of Wabash for a distance of 93 feet and on Wabash north from the north curb of Douglas for a distance of 29 feet, (north of Douglas, east of Wabash) 472-83616, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## SANITARY SEWER

### **PETITIONS FOR SANITARY SEWER LATERALS TO SERVE TWO UNPLATTED TRACTS LOCATED EAST OF HILLSIDE, SOUTH OF 53RD STREET NORTH.** (District I)

Agenda Report No. 02-1653

The Petitions have been signed by three owners representing 100% of the improvement districts.

The projects will serve the Kansas Department of Transportation field office at the intersection of K-254 Highway at Hillside and a single-family home at 3525 East 53rd Street North.

The Petitions total \$203,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

#### RESOLUTION NO. 02-352

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 13, Sanitary Sewer #23 (east of Hillside, south of 53<sup>rd</sup> Street North) 468-83456, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

#### RESOLUTION NO. 02-353

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 13, Sanitary Sewer #23 (east of Hillside, south of 53<sup>rd</sup> Street North) 468-83459, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## IMPROVEMENTS

### **PETITIONS FOR SANITARY SEWER AND WATER DISTRIBUTION SYSTEM TO SERVE PART OF WOODLAND HILLS ADDITION – NORTH OF CENTRAL, WEST OF 151ST STREET WEST.** (District V)

Agenda Report No. 02-1654

The Petitions have been signed by two owners, representing 100% of the improvement districts.

These projects will provide sanitary sewer, and water service to a new residential development as a condition of a lot split.

The Petitions total \$53,500. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

#### RESOLUTION NO. 02-354

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89708 , (north of Central, west of 151<sup>st</sup> Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

#### RESOLUTION NO. 02-355

Resolution of findings of advisability and Resolution authorizing improving of Main 4, Part A, Northwest Interceptor Sewer, (north of Central, west of 151<sup>st</sup> Street West) 468-83468, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## IMPROVEMENTS

### **PETITIONS FOR STREET PAVING AND SANITARY SEWER TO SERVE PART OF PINE BAY ESTATES – EAST OF HYDRAULIC, SOUTH OF 53RD STREET SOUTH.** (District III)

Agenda Report No. 02-1655

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving and sanitary sewer service to a new residential development.

The Petitions total \$233,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

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## RESOLUTION NO. 02-356

Resolution of findings of advisability and Resolution authorizing improving of Lateral 486, Southwest Interceptor Sewer (east of Hydraulic, south of 63<sup>rd</sup> Street South) 468-83477, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-357

Resolution of findings of advisability and Resolution authorizing improving Grove Court, (east of Hydraulic, south of 63<sup>rd</sup> Street South) 472-83617, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## **STREET CLOSURES      CONSIDERATION OF STREET CLOSURES/USES.**

There were no street closures submitted.

## **FINANCIAL REPORT      QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDED JUNE 30, 2002.**

Motion – carried      Knight moved that the report be received and filed.

## **CDBG      CDBG – COMMUNITY HOUSING SERVICES WICHITA/SEDGWICK COUNTY.**

Agenda Report No. 02-1656

During the CDBG program years 1995, 1996 and 1997, \$150,000 in CDBG funds was allocated to Community Housing Services for a revolving housing loan program targeted to the Northeast and North Central Local Investment Areas. The breakdown for each year was \$50,000 for administration costs and \$100,000 for the revolving loan program, totaling \$450,000 with \$300,000 available for loans. Program income (loan re-payments), in the amount of \$200,000 remains available to Community Housing Services for loans.

The contract between the City of Wichita and Community Housing Services of Wichita/Sedgwick County provides an agreement for the continued use of the revolving loan funds for home rehabilitation loans, home ownership loans and refinance/rehabilitation loans during the 2002/2003 CDBG program year.

The \$200,000 revolving loan fund budget plus any receipts from loan re-payments (program income) will enable the processing of additional rehabilitation loans in the Northeast and North Central Local Investment Areas during the term of this contract.

Motion --      Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried      Motion carried 7 to 0.



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## EMER. SHELTER

### CENTER OF HOPE EMERGENCY SHELTER.

Agenda Report No. 02-1657

The Wichita City Council awarded United Methodist Urban Ministry HUD ESG funding for the provision of rent & rent assistance payments as a homeless prevention activity during the 2001 consolidated funding process. UMUM discontinued their rent and utility assistance program and did not expend. Their agreement has expired and Center of Hope has requested the unexpended funds for continuation of their rent & rent assistance program. The transfer does not alter the intended use of the funds.

Center of Hope has demonstrated a need for the rent & rent assistance funds and has also demonstrated an ability to provide the services. Center of Hope's agreement will require extension to December 31, 2002 and an increase in budget from \$21,964.00 to \$26,547.28. The original budget of \$21,942 has been expended by Center of Hope. The contract amendment increases the total budget and extends the contract.

The contract amendment will increase Center of Hope budget \$4,583.28 for the provision of rent & rent assistance payments. Previously approved HUD ESG funding for the same purpose will fund the increase.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
Motion carried 7 to 0.

## KDOT

### CONSTRUCTION ENGINEERING AGREEMENT FOR 21ST STREET NORTH AND ROCK ROAD INTERSECTION. (District II)

Agenda Report No. 02-1658

21st Street North and Rock Road was included in the 2001 Capital Improvement Program as part of the Arterial Corridors Program. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT).

On March 6, 2001, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

Improvements are needed to improve traffic carrying capacity and to increase safety.

KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$184,626.79.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
Motion carried 7 to 0.

## KDOT

### CONSTRUCTION ENGINEERING AGREEMENT FOR MOUNT VERNON AND GEORGE WASHINGTON BOULEVARD INTERSECTION. (District III)

Agenda Report No. 02-1659

Mount Vernon and George Washington Boulevard was included in the 2001 Capital Improvement Program as part of the Intersection Reconstruction Program.

The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On January 25, 2000, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

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Improvements are needed to improve traffic carrying capacity and reduce accidents by constructing left and right-turn lane improvements and other intersection modifications.

KDOT will reimburse the City for 90 percent of the cost for construction engineering services, which has an upper limit of \$49,994.66.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
Motion carried 7 to 0.

## **NO PROTEST AGMT. NO PROTEST AGREEMENT – OLD LAWRENCE ROAD, SOUTH OF 37TH STREET NORTH. (District VI)**

Agenda Report No. 02-1660

The owner of an existing building on the east side of Old Lawrence Road, south of 37th has requested a building permit to expand the business. Although Old Lawrence Road is unpaved, it is not practical to obtain a valid paving Petition at this time. As a result, the property owner has submitted an Agreement to not protest paving at a future date.

The Agreement will be recorded with the County Register of Deeds and will be binding on subsequent property owners.

There are no financial considerations.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
Motion carried 7 to 0.

## **NIC SUPPLEMENTAL AGREEMENT FOR PROFESSIONAL SERVICES – NORTH INDUSTRIAL CORRIDOR PROJECT.**

Agenda Report No. 02-1661

The City entered into a professional services agreement with Stinson, Mag & Fizzell to provide legal advice on environmental matters relating to the City's assumption of responsibility for the investigation and clean-up of groundwater contamination in the NIC site. That firm, and particularly David R. Tripp, assisted staff and Council on a number of elements on the project and continues to provide advice as needed as the project is being implemented. The contractual limit has been reached and new authority is needed.

This supplemental agreement provides additional authority to continue to use the services of Stinson Morrison Hecker LLP (successor to Stinson, Mag & Fizzell) on an as-needed basis for particular legal and environmental issues on the NIC site.

This supplemental agreement provides authority for up to an additional \$50,000 in legal services. This sum is included in the NIC TIF budget for 2002.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
Motion carried 7 to 0.

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## **HOUSING LOAN PGM. AMENDMENT TO AGREEMENT WITH HOUSING IMPROVEMENT LOAN PROGRAM.**

AGENDA REPORT No.02-1662

The Housing Improvement Loan Program (HILP) was developed in 2000 in order to provide an interest subsidy for households borrowing funds to complete rehabilitation projects. HILP was developed utilizing funds from the Energy Loan Program that had been previously funded with CDBG funds.

An agreement was established with Capitol Federal Savings to provide loans, not to exceed \$15,000 for individuals that were income eligible and making repairs on their owner-occupied structures in targeted neighborhoods. During the past program year, and proposed for the current, the City of Wichita will subsidize the Capitol Federal Savings loans by 4% so that the final loan rate for the owner is 2%. During the past fiscal year, 45 households were assisted and approximately \$382,000 was leveraged with \$96,000 program funds. Target area is I-235 to Hillside, Pawnee to 25th Street No, and remaining Local Investment Areas. Approximately \$183,000 is available for additional interest subsidies within the program. HILP allows for the completion of more housing rehabilitation projects due to the leveraging of private loan funds. Households not eligible for HILP may apply for other HSD rehabilitation programs if they are income eligible and within target areas. The amendment extends the current agreement between the City and Capitol Federal Savings to June 30, 2003.

It is the recommendation of the HSD to approve the extension of the agreement for an additional 12 months.

Interest subsidies will be paid from existing program funds.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## **PROF. SERVICES**

### **PROFESSIONAL SERVICES CONTRACT - MANAGEMENT PARTNERS, INC.**

Agenda Report No. 02-1663

The City of Wichita is committed to improving municipal operations and services. Various areas are being studied for ways to reduce costs, provide convenient access and improve service delivery.

To assist the City with improving service delivery, the City Council has approved retention of professional assistance from Management Partners, Inc. The firm has worked with City staff to evaluate various options, address work-related problems, review alternative service delivery systems, implement quality management techniques and assist with transformation reviews.

To date, this firm has assisted Staff in the evaluation of the development review process, maintenance of public property, organizational and operational issues in Environmental Health, Municipal Court and Property Management. Implementation of the recommendations associated with the development review process will require a multi-department workshop, additionally other work areas such as Public Works, Airport and other operational areas will be targeted for assessment of management practices. Staff requests Council consider a subsequent contract for professional services to complete existing projects and to allow other departmental reviews.

Estimated costs for professional assistance to assigned tasks will be based upon hourly fees, but not to exceed \$50,000. This amount is available in the current budget from the Central Inspection Reserve fund and from the City Manager's project contingency fund.

Motion --  
-- carried

Knight moved that the fees for professional assistance with Management Partners, Inc., in an amount not to exceed \$50,000, be approved; and the budget adjustments be authorized. Motion carried 7 to 0.

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## **SANITARY SEWER      SEWER LINE REHABILITATION. (District I)**

Agenda Report No. 02-1664

Staff has identified a need to rehabilitate the sanitary sewer line located in the easement between Ridgewood & Parkwood from the first manhole south of 21st Street to the manhole in the south parking of 21st Street. Through the method of television inspection, Staff identified 300 ft. that require rehabilitation.

The City has rehabilitated sewers with methods including open excavation and cast-in-place liners. This project is an opportunity to apply a rehabilitation technology that is new to Wichita. The method has been used by other cities, but this will be the first opportunity for Wichita to test it. Advanced Pipe Lining developed the PVC relining technology and is the sole source to perform the work.

The quote for the relining is \$10,381. The cost includes \$32.86 per ft. for pipe relining and \$75.00 each to reinstate customer service lines. Unit prices are approximately the same as estimates for cast-in-place lining and less than estimated prices for open excavation. Funding is available in CIP S-4, Reconstruction of Sanitary Sewers.

City Council approval is required for Contracts in excess of \$10,000.

Motion --  
-- carried

Knight moved that the sole source for this project and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## **JANITORIAL SER.      JANITORIAL SERVICES FOR BRANCH LIBRARIES.**

Agenda Report No. 02-1702

The City of Wichita contracts for janitorial services for six of its twelve public library locations. (Three of these locations will be consolidated into the two new branch libraries currently under construction.).

A Request for Proposals for Janitorial Services for Branch Libraries was issued in an effort to obtain a qualified vendor, capable of adequately performing all required janitorial services.

Funding for the janitorial services is part of the library budget. Analysis of proposal indicate that costs are within budget estimates for 2002.

The contract will be for a one-year contract with an option to renew under the same terms and conditions for one or two successive one-year periods.

Motion --  
-- carried

Knight moved that the selection of Golden Cleaning Services to provide janitorial services to branch libraries be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## **DESIGN SERVICES      DESIGN SERVICES AGREEMENT FOR RIDGE PORT COMMERCIAL PARK AND RIDGE PORT SECOND ADDITIONS – NORTH OF 29TH STREET, WEST OF RIDGE. (District V)**

Agenda Report No. 02-1665

The City Council approved the project on June 18, 2002.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements in Ridge Port Commercial Park & Ridge Port Second Addition.

Payment will be on a lump sum basis of \$62,000, and will be paid by special assessments.

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Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried Motion carried 7 to 0.

**DESIGN SERVICES**      **DESIGN SERVICES AGREEMENT FOR MEDITERRANEAN PLAZA ADDITION – WEST OF WEBB, SOUTH OF 37TH STREET NORTH.** (District II)

Agenda Report No. 02-1666

The City Council approved the project on June 18, 2002.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements in Mediterranean Plaza Addition. Per Administrative Regulation 7a, staff recommends the selection of MKEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$25,760, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried Motion carried 7 to 0.

**DESIGN SERVICES**      **DESIGN SERVICES AGREEMENT FOR HAPEL HILL ADDITION – NORTH OF 13TH, EAST OF GREENWICH.** (District II)

Agenda Report No. 02-1667

The City Council approved the project on March 16, 1999.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Chapel Hill Addition. Per Administrative Regulation 7a, staff recommends the selection of PEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$48,000, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried Motion carried 7 to 0.

**DESIGN SERVICES**      **DESIGN SERVICES AGREEMENT FOR FOREST LAKES – NORTH OF 29TH STREET NORTH, WEST OF RIDGE.** (District VI)

Agenda Report No. 02-1668

The City Council approved the project on April 6, 1993.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Forest Lakes. Per Administrative Regulation 7a, staff recommends the selection of PEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$22,500, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried Motion carried 7 to 0.

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## **DESIGN SERVICES      SUPPLEMENTAL FOR GEORGE WASHINGTON BOULEVARD AND MOUNT VERNON.** (District III)

Agenda Report No. 02-1669

On January 25, 2000, the City entered into an Agreement with Kaw Valley Engineering, Inc. for designing George Washington Boulevard and Mount Vernon. The fee was \$19,960.

Kaw was asked to design left-turn lanes on George Washington Boulevard and update the traffic signalization. The City has decided to reconstruct the entire intersection and asked Kaw to make the revisions. A Supplemental Agreement has been prepared for the additional design services.

Payment will be on a lump sum basis of \$7,860 and will be paid by General Obligation Bonds.

Motion --                      Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.  
-- carried                      Motion carried 7 to 0.

## **TREATMENT PLANT      CHANGE ORDER – SEWAGE TREATMENT PLANT NO. 2.**

Agenda Report No. 02-1670

CAS Construction, Inc., was awarded a contract in the amount of \$8.229 million to construct modifications to Sewage Treatment Plant #2. The work included the transition from chlorine/sulfur dioxide gas for disinfection to ultraviolet light (UV). After installing the UV equipment, problems were found that would not allow the equipment to perform according to specification. At the recommendation of the engineer (Camp, Dresser & McKee, Inc.) the Department issued work-directive Change Orders #1 and #2 to pursue modifications recommended by the engineer and the manufacturer. Some mitigation has resulted; however, significant issues remain. The system is operational, but does not meet specifications. The engineer is continuing to pursue this with the equipment manufacturer.

The Contractor performed the work, as specified, under the provisions in the Contract. The work is complete and they are entitled to payment. Camp, Dresser & McKee has provided assurance that the Department is not liable for payment of work completed under work-directive Change Orders and will be reimbursed.

Change Order #3 is for \$120,561 with an additional fifty-five (55) days Contract time. Funds are available in CIP S-513, Sewage Treatment Plant #2 Improvements.

Contract amendments in excess of \$10,000 require City Council approval.

Motion --                      Knight moved that the Change Order be approved; and the necessary signatures be authorized.  
-- carried                      Motion carried 7 to 0.

## **FOUR MILE CREEK      EPA - FOUR-MILE CREEK GRANT.**

Agenda Report No. 02-1671

The U. S. Environmental Protection Agency (EPA) has \$2.4 million available for wastewater infrastructure improvements and rehabilitation. The Sewer Master Plan, approved by City Council on May 14, 2002, recommended spending \$2 million in 2002 and \$4 million in 2003 to rehabilitate and expand the 4-Mile Creek Sewage Treatment Plant.

Staff has prepared a grant application for submission to the EPA. If awarded, the funding will be for rehabilitation and expansion of the 4-Mile Creek Sewage Treatment Plant (CIP S-520).

The City is requesting \$2.4 million in grant funds. The cost for the project will be \$6 million. A match of 55% of the entire cost of the project is required that will amount to \$3.3 million.

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Motion --  
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## DRUG FREE

### **FEDERAL SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES GRANT PROGRAM.**

Through the Federal Safe and Drug-Free Schools and Communities Grant, administered by the State of Kansas-Office of the Attorney General, funds are available for training of law enforcement officers dedicated to the School Resource Officer (SRO) and DARE programs. The grants provide funding for one-time training opportunities offered within the state.

The SRO grant provides up to \$200 for each school resource officer to attend training in Derby, Kansas. The DARE grant provides full funding for 19 DARE officers to attend a one-day training on teaching the new DARE curriculum, which will be held in Salina, Kansas.

The City of Wichita will be reimbursed for the cost of SRO and DARE training up to \$600 and \$2,045, respectively, after the training have been completed.

Motion --  
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## IMPAIRED DRIVING

### **2003, 2004, 2005 KANSAS IMPAIRED DRIVING DETERRENCE PROGRAM GRANT.**

Agenda Report No. 02-1673

The Kansas Department of Transportation, Impaired Driving Deterrence Program, provides overtime pay for officers enforcing DUI laws. This program is designed to help local law enforcement agencies dedicate time and resources to increase awareness of the dangers of driving impaired. It emphasizes DUI enforcement coupled with a public education and awareness component designed to deter impaired driving. The enforcement aspect of the program requires the utilization of three DUI checkpoints and five organized saturation patrols in the course of each program year. This is the first year of participation for the Wichita Police Department.

The Wichita Police Department is currently developing a comprehensive traffic safety plan in conjunction with the reorganization of the Traffic Section that began in 2001. In each of the past two years, the Police Department has recorded an increase in the number of alcohol-related crashes, while in the same time period recorded a decrease in the total number of DUI arrests. Participation in the Impaired Driving Deterrence Program will allow the Police Department to supplement normal staffing and routine enforcement efforts with additional, dedicated DUI enforcement personnel. Public education opportunities will accompany the enforcement exercises to heighten awareness, modify perceptions, and deter impaired driving. The grant also includes funding for the purchase of necessary commodities to support the enforcement efforts.

The Kansas Department of Transportation will reimburse the Police Department for overtime incurred while performing DUI checkpoints and saturation patrols and commodities purchased for the program. The grant application includes total funding of \$19,700 for the three program years. No local match is required.

Motion --  
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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## **TREATMENT PLANT GRANT APPLICATION FOR NORTHWEST SEWAGE TREATMENT PLANT III.**

Agenda Report No. 02-1674

The Kansas Department of Wildlife & Parks has \$500,000 available for a project area dedicated to the Northwest Nature Center and Public Wetland. The Recreational Trails (RTF) application is intended for the costs associated with the Wetland/Riparian portion of Northwest Sewage Treatment Plant III.

Staff has prepared an application for submission to the Kansas Department of Wildlife & Parks. The monies will be used to restore topography, reforestation, provide public benefits (education and recreation), and watershed benefits.

The City is requesting a total of \$500,000 in grant funds. Cost for the project will be \$1.4 million. Wichita will be responsible for a match of 20% of the total amount awarded.

Motion --  
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## **ADULT CARE HOME ADULT CARE HOME INSPECTION GRANT RENEWAL.**

Agenda Report No. 02-1675

The Environmental Health Department assists staff from the Kansas Department of Health and Environment, upon request, in inspections and investigation of complaints in adult care facilities within Sedgwick County. KDHE provides an annual grant to fund these activities, and has offered renewal of the grant for state fiscal year 2003.

The vast majority of adult care home regulatory activities are carried out by Kansas Department of Health and Environment staff. The grant provides KDHE with local resources when state staff are unavailable or require assistance.

The grant amount for state fiscal year 2003 totals \$27,000. Funds received help support the Child Care Licensing program. Nurses assigned to Child Care Licensing provide assistance to KDHE adult care home surveyors upon request.

Motion --  
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## **BUDGET TRANSFER OF NUISANCE ABATEMENT FUNDS.**

Agenda Report No. 02-1676

The transfer requested moves \$ 32,250 from the Environmental Maintenance Contingency to the Environmental Maintenance Lot Cleanup account. The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and state law allow the City to clean up private property after proper notification of the responsible party. A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment.

In the 2002 budget, the Council allocated an initial \$ 25,500 to fund lot cleanup activities, with an additional \$ 92,250 in a contingency account available for transfer during the year. The council approved two previous transfers of \$ 30,000 each from the contingency account, in April and June. Invoices received to date for 132 completed cleanups total approximately \$ 66,000. Anticipated costs for twenty-six cleanups under way are anticipated to deplete the funds remaining in the cleanup account. Forty two additional cases have been processed for issuance to contractors upon approval of the requested transfer, and inspectors continue to work premise condition cases that will result in future



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cleanups. The requested transfer of \$ 32,500 is routine, and will allow continuance of planned activities. The Council is currently considering, as part of the revised 2002 budget, additional funding to allow increased nuisance abatement as part of a neighborhood code enforcement initiative involving multiple City agencies.

The Finance Department has approved the transfer.

Council approval is required for budget adjustments in excess of \$10,000.

Motion --

Knight moved that the budget adjustment transferring \$ 32,250 from Environmental Maintenance Contingency (OCA 149070) to Environmental Maintenance Lot Cleanup (OCA 149062) be approved. Motion carried 7 to 0.

-- carried

## PLAYGROUND EQ.

## PLAYGROUND AMENITIES AND EQUIPMENT REHABILITATION.

Agenda Report No. 02-1677

The Park and Recreation Department is in the process of renovating playgrounds and replacing playground equipment across the city of Wichita to enhance this community resource and address safety concerns associated with current configurations. To date, the City has invested \$964,160 in playground renovation and equipment replacement, including investments at the following sites: Aley Park, Sunset Park, Brownthrush Park, Lincoln Park, Henry Park, Hope Park, Prospect Park, Lynette Woodard Recreation Center, College Hill Park, Cypress Park, Rivera Park, Schweiter Park, Sycamore Park, West Douglas Park, West Millbrook Park, Planeview Park, Southview Park, Emery Park, Piatt Park, Woodland Park, Evergreen Park, Harrison Park, Boston Park, Cessna Park, Sleepy Hollow Park, Edgemoor Park, and Eastview Park.

sis: The 2002 and 2003 Park Capital Improvement Program (CIP) includes \$800,000 in funding to rehabilitate park playgrounds and amenities in various locations throughout Wichita. The following park and recreation sites have been identified for renovation and equipment replacement in 2002 and 2003: Minisa, Osage, North Linwood, South Linwood, McAdams, Murdock, Central Riverside, Emporia, Skyline, Hyde, Watson, Glenn Village, Spruce, Grove, Orchard, Barrington, Buffalo, Country Acres, Fairmount, Redbarn, Redbud, North Riverside, Westside Athletic Field, and Herman Hill.

The 2002 Park CIP includes \$500,000 for renovating playgrounds and replacing playground equipment, and the 2003 Park CIP includes \$300,000 for same. The funding source is general obligation bonds.

Motion --

Knight moved that the Resolutions be adopted and initiation of the projects be authorized. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. 02-358

A Resolution authorizing the issuance of Bonds by the City of Wichita at Large for the renovation of playgrounds, including removal and/or replacement of playground equipment at Evergreen, Minisa, Osage, North Linwood, South Linwood, McAdams, Murdock, Central Riverside, Emporia, Skyline, Hyde, Watson, Glenn Village, Spruce, Grove, Orchard, Barrington, Buffalo, Country Acres, Fairmount, Redbarn, Redbud, North Riverside, and Herman Hill Park Site, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (2002 Bonding Resolution)

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## RESOLUTION NO. 02-353

A Resolution authorizing the issuance of Bonds by the City of Wichita at Large for the renovation of playgrounds, including removal and/or replacement of playground equipment at Evergreen, Minisa, Osage, North Linwood, South Linwood, McAdams, Murdock, Central Riverside, Emporia, Skyline, Hyde, Watson, Glenn Village, Spruce, Grove, Orchard, Barrington, Buffalo, Country Acres, Fairmount, Redbarn, Redbud, North Riverside, and Herman Hill Park Site, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (2003 Bonding Resolution)

## PROPERTY DISP.

### SALE OF MULTIFAMILY HOUSING PROJECT – MIDLAND/MACARTHUR PARK, L.P. (District III)

Agenda Report No. 02-1678

On February 13, 1996, the City Council approved the issuance of Industrial Revenue Bonds to finance low/moderate income housing facilities on behalf of Midland/MacArthur Park, L.P., in an amount of \$4.5 million. The bonds were issued for the purpose of financing the costs of acquiring, rehabilitating, furnishing and equipping an existing 216-unit multifamily housing facility located at 4244 South Hydraulic in the City of Wichita. Due to low occupancy rate and poor financial performance, the bond issue has been in default for several years. Bank of NY Trust Company of Missouri, Trustee for the bonds, requests City Council approval of to sell the project, now known as Falcon Pointe, to Froggatte & Associates, LLC, as a means of realizing some recovery for the bondholders.

In 1996 after rehabilitating the property the operator has struggled to improve the property's occupancy and financial performance. The current occupancy rate is at 50%, which is 30% less than recent years. The operator has not been able to maintain a high level because of significant tenant turnover. The operator has advanced significant funds in order to meet operational cash flow needs. In October 1999, the operator determined that they were no longer willing to advance the additional funds required to pay the operating expense and make payments on the bonds. At the request of the Trustee, the operator has actively marketed the property for sale since October 2000. Because the bonds are currently in default and the proposed sale will not satisfy the bonds in full, bondholders approval is required to transfer the property free of the bond financing. Under the Trust Indenture which authorized the issuance of the bonds, the holders of fifty-one percent (51%) of the outstanding bonds have the right to direct the Trustee's enforcement of the Indenture. Notices were sent to bond holders and 77.29% have approved of the proposed sale.

There is no financial impact on the City resulting from the requested sale. Costs of the sale will be paid from proceeds before they are distributed to bondholders.

The Department of Law has reviewed the Resolution and associated documents and has approved them as to form. Unlike prior sales of defaulted IRB projects, there is no Court order approving the proposed sale, and the Trustee does not intend to seek one. Accordingly, the City's approval will be relying upon the Trustee's professional judgment that the sale is in the best interests of bondholders.

Motion --  
-- carried

Knight moved that the Resolution authorizing the execution and delivery of all such other documents necessary to convey title to such facility be adopted. Motion carried.

## RESOLUTION NO. 02-360

A Resolution of the City of Wichita, Kansas, approving sale of Multifamily Housing Project; authorizing execution of deed, bill of sale, termination and release of the lease and all such other documents necessary to convey title to such facility, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## EQUIPMENT

### PURCHASE OF RADAR TRAILERS AND UNITS.

Agenda Report No. 02-1679

The Field Services Division of the Wichita Police Department is in need of updated speed enforcement equipment, including moving and stationery radar units, Lidar (laser) units, and speed-monitoring radar trailers. Currently, several of the radar units are over 15 years old and no longer effective, and only one-fifth of the marked patrol cars have some form of moving radar. The Department has only one radar trailer, which currently is inoperable due to vandalism. The acquisition of radar equipment would enhance the enforcement and education of traffic violators. On June 24, 2002, a request for Proposal (RFP 200063) was sent to eleven vendors and six responded.

A selection committee of Department personnel reviewed the proposals. Each proposal was evaluated on the basis of meeting the specifications outlined in the proposal, equipment proposed, qualifications, experience, reliability and dependability of units and company, as well as overall cost (short-term and long-term).

Funds have been allocated in the COPS Technology Grant for the purchase of speed monitoring radar trailers and the 2002 Adopted General Fund budget for the purchase of radar units for the Field Services Division. The total cost of the equipment is within the budgeted amounts.

The Law Department will review and approve the contract as to form.

Motion --  
-- carried

Knight moved that the purchase be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## DRIVING SIM.

### PURCHASE OF DRIVING SIMULATORS.

Agenda Report No. 02-1680

In a continuing effort to reduce the severity and frequency of automobile accidents involving City employees, Risk Management investigated additional training alternatives that are currently available in the market place. As a result of this investigation it was determined that the best available addition to the City's training regimen of Defensive Driving and Emergency Vehicle Operations would be the addition of driving simulators. Driving simulators will allow the training of employees in controlled real life driving situations where there is no risk of personal injury or property damage.

There were two competitors that provided proposals for these simulators. Both competitors (Doron and General Electric) products were reviewed by representatives of various operating departments, including police, fire, public works, water, risk management, and safety. It was the unanimous consensus of this group that the PatrolSim II, manufactured by General Electric, was a far superior product. The PatrolSim graphics and interior lay out of the simulator was far more realistic. In addition, the PatrolSim allows for the simulator to replicate 40 different vehicles in size from a car to a bus. This allows for the versatility to train police officers in realistic patrol vehicles, firefighters in fire trucks, public works and water employees in dump trucks, and transit employees in buses. The PatrolSim also allows for multiple simulators to be linked and involved in the same scenario. This will aid greatly in police officer training where two officers are responding from different areas or involved in a coordinated response. The PatrolSim also allows for the trainer to take control of any vehicle in the simulation to modify the scenarios provided by the manufacturer.

The cost of the driver simulators and associated extended warranty and service agreement is included in the budgeted expenditures for 2002. The cost of two simulators, the operators console, full service agreement, extended warranty, training, and installation will not exceed \$275,000. The cost of the driving simulators will be recovered based upon reduced auto liability, workers' compensation, and property damage expenses.

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Additional training will reduce potential for lawsuits claiming improper training and will ultimately reduce litigation and liability expenses through reduced at-fault accidents. The contract has been approved as to form by the Law Department.

Motion --

Knight moved that the purchase of two PatrolSim II simulators, and associated extended warranties and service agreements from GE Capital for a sum not to exceed \$275,000 be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

## **EMP. RETIREMENT. WICHITA EMPLOYEES' RETIREMENT SYSTEM, POLICE AND FIRE RETIREMENT SYSTEM 2001 COMPREHENSIVE FINANCIAL REPORT.**

Agenda Report No. 02-1681

The Government Finance Officers Association (GFOA) establishes financial reporting standards for local and state governments. Those governments have the opportunity to submit their financial documents for review and compliance with the standards. Certificates of Achievement for Excellence in Financial Reporting are awarded to those entities meeting the standards. The Pension Management staff completed the first Comprehensive Annual Financial Report (CAFR) for the Wichita Retirement Systems for the year ended December 31, 1998 and was awarded a Certificate of Achievement for Excellence in Financial Reporting for the 1999 and 2000 CAFRs.

The Pension Management staff prepared the 2001 Comprehensive Annual Financial Report (CAFR) for the Wichita Retirement Systems (Wichita Employees' Retirement System and the Police & Fire Retirement System) and submitted it to GFOA for Certificate of Achievement consideration. Considerable time and effort was involved in the document preparation.

The Wichita Employees' Retirement Board and the Police & Fire Retirement Board have reviewed the 2001 Comprehensive Annual Financial Report. This report is now provided to the City Council.

There are no financial considerations.

Motion --carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

## **PROPERTY ACQ. ACQUISITION OF EASEMENT FOR THE KECHI SANITARY SEWER MAIN EASEMENT. (District I)**

Agenda Report No. 02-1682

The City Council has approved the construction of a sanitary sewer main from Hydraulic and 37th St. North to 53rd Street North west of K-254 at the request of the City of Kechi. Four of five property owners have previously agreed to grant the City the easements over their property.

The fifth property owner, Dearman and Darlene Galloway, has agreed to accept \$ 3,000.00 for this easement over 4,650 square feet.

A budget of \$ 3,500 is requested for the acquisition and associated closing costs. The cost of the acquisitions will be included in the assessment district.

Motion --

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

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## **EASEMENT TRANS.    TRANSFER OF EASEMENTS – WICHITA GAS UTILITY.**

Agenda Report No. 02-1683

In 1980, after extensive negotiations and discussion, the Wichita City Commission approved the sale of the Wichita Gas Utility to the seven industrial customers then being served by the utility. Effective October 3, 1980, the City agreed to defease the revenue bonds that financed the construction, conveyed most assets to the industrial customers, and entered into a Management and Operation Agreement. These companies have continued to manage and operate the gas utility for their own use under the name of the Kansas Industrial Energy Supply Company. The Agreement gave the Company the right and option to purchase the remaining assets for \$1.00 at any time. The Company has now requested the transfer of pipeline easements in Kingman County that had been retained by the City.

When the assets of the Wichita Gas Utility were sold to the industries being served by the gas gathering utility, the City retained the pipeline easements in Kingman County. The industries (through the Company) own the pipeline assets within those easements. The Company has given written notice of its intent to exercise its option to purchase the pipeline easements. The City is asked to authorize the necessary documents to transfer title of those easements.

The Company has tended the \$1.00 necessary to exercise its option to purchase.

The Company has properly exercised its option to purchase under the Agreement. The Law Department will approve the necessary documents to transfer the title.

Motion --  
-- carried

Knight moved that the transfer of the easements be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **WATER EASEMENT    RELEASE OF WATER EASEMENT.**

Agenda Report No. 02-1684

The City of Wichita Water Department has a well easement over the north 165 feet of land located south of 81st Street North and East of Hoover Road. These easements impact several parcels. The owner of one parcel, 5365 West 81st Street North, has requested that the easement be released has it prevents development of the north 165 feet of the site. The Water Department has reviewed the easement and they no longer have a need for it.

The buyer has offered \$6,000 for the release. This equates to the amount paid when the easement was originally acquired.

The City will receive cash consideration from the sale of the property.

Motion --  
-- carried

Knight moved that the release be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **PROPERTY DISP.    SALE OF SURPLUS PROPERTY LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH, BETWEEN GROVE AND ERIE. (District I)**

Agenda Report No. 02-1685

An offer of \$136,125 has been received for the City-owned tract of vacant land located on the south side of side of 21st Street North between Grove and Erie. The tract was acquired from several owners in 1993 in conjunction with the improvement of 21st Street. At acquisition was developed with duplexes and quad-plexes which were removed. The property contains 11 lots with 54,450 square feet and 605 feet of 21st Street frontage. It is zoned multifamily. The purchaser intends to combine the City

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ownership with 15 other lots to create a 143,000 square foot site to be developed as a combined office, self-storage and retail complex.

The offer of \$136,125 equates to \$2.50 per square foot. There have been very few transactions or private development in the area, making market comparison difficult. Market is estimated at \$1.50 to \$2.75 per square foot for residentially zoned property. All costs of rezoning, platting, etc. will be borne by the buyer.

The City will receive cash consideration from the sale of the property at closing. Upon sale, the property will return to the tax rolls.

Motion --  
-- carried

Knight moved that the sale and Contracts be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROPERTY DISP.

### SALE OF SURPLUS PROPERTY LOCATED ADJACENT TO 450 GREENWOOD. (District I)

Agenda Report No. 02-1686

An offer of \$625 has been received from James Dunning for the City-owned remnant located south of 450 South Greenwood. The tract was acquired for the Kellogg/Washington Interchange project. After construction, a remnant containing approximately 1,760 square feet remained. The site is zoned residential and is irregularly shaped. The buyer owns the adjacent property and wishes to utilize the parcel for parking.

The offer calculates to approximately \$.36 per gross square foot. Buildable residential lots in the area sell for \$.25-to-\$.70 per square foot. The only viable purchaser is the buyer, who is the only adjacent owner. The parcel is not landscaped but currently must be maintained by the City. The site will be subject to a prohibition against utilization as a billboard site. The buyer will improve the site and maintain it for landscaping and parking.

The City will receive cash consideration from the sale of the property at closing and will be relieved of the expense of maintenance. Upon sale, this property will return to the tax rolls.

Motion --  
-- carried

Knight moved that the sale and Contracts be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROP. EXCHANGE

### PROPERTY EXCHANGE – SOUTHWEST AND SOUTHEAST CORNERS OF KELLOGG AND OLIVER. (District II)

Agenda Report No. 02-1687

As a result of the Oliver/Kellogg interchange project, the City of Wichita has a 15,400 square foot, rectangular tract at the southeast corner of Kellogg and Oliver. Due to its proximity to the intersection and small size, it was determined that this parcel should be landscaped and held as open space rather than marketed for development. The rest of the block and several acres on the southwest corner are owned by a single party. This owner has offered to trade 8407 square feet at the southwest corner of Kellogg and Oliver for a portion of the southern part of the City-owned parcel of equal size. He wishes to do this to facilitate the development of both of his tracts under a Community Unit Plan.

The developer will remove all footings and foundations from the parcel on the southwest corner that is being transferred to the City and will landscape the parcel at this own expense. He will also maintain the landscaping on the remaining City-owned parcel on the southeast corner. These parcels will count towards the open space requirements in the Community Unit Plan. The remainder of the southeast block is currently developed with some lower-quality quad-plexes. These are separated from the City parcels by a masonry wall. The developer will leave the wall in place until the quad-plexes are removed and will then remove the wall at his expense.

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The City will be relieved of the cost of upkeep of the open area while maintaining the same amount of landscaped space.

Motion --  
-- carried

Knight moved that the exchange and Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## SANITARY SEWER

### **RESCINDING RESOLUTION – SANITARY SEWER TO SERVE MID-CONTINENT INDUSTRIAL PARK – EAST OF MAIZE ROAD, SOUTH OF K-42 HIGHWAY.** (District V)

Agenda Report No. 02-1688

On August 15, 2000, the City Council approved a project to extend sanitary sewer service to Mid-Continent Industrial Park located east of Maize Road, south of K-42 Highway. At that time it was expected that the system would include a lift station and force main. During the design of the project it was determined that the area could be served by a gravity flow system.

A rescinding Resolution has been prepared to change the project title.

The project budget is unchanged.

The City Council can change the project title by Resolution.

Motion – carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. 02-361

Resolution of findings of advisability and Resolution authorizing construction of Main 3, Cowskin Interceptor Sewer, Part 1, (east of Maize north and south of K-42 Highway) 468-83149, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## ORDINANCES

### **SECOND READING ORDINANCES: (FIRST READ JULY 16, 2002)**

a) Plant equity fees.

### ORDINANCE NO. 45-367

1. An Ordinance amending Section 16.14.041 of the Code of the City of Wichita, Kansas pertaining to payment of Plant Equity Fees for connection of sewer service; and repealing the Original of Section 16.14.041, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

### ORDINANCE NO. 45-368

2. An Ordinance amending Section 17.12.061 of the Code of the City of Wichita, Kansas pertaining to payment of Plant Equity Fees for connection of water service; and repealing the Original of Section 17.12.061.

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- b) Alternative Correctional Housing.

## ORDINANCE NO. 45-369

An Ordinance amending Section 20.08.120 pertaining to the exemption of certain existing Alternative Correctional Housing Facilities from spacing requirements related to such facilities that house sex offenders, and creating Section 20.08.125 of the Code of the City of Wichita pertaining to additional standards required of such Alternative Correctional Housing Facilities and repealing the original of Section 20.08.120, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- c) 21<sup>st</sup> Street and 119th Street West intersection traffic signals.

## ORDINANCE NO. 45-370

An Ordinance declaring the Intersection of 21st Street North at 119th Street West (472-83609) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- d) A 02-13 – north of 53rd Street North and one-half mile east of Rock Road. (District II)

## ORDINANCE NO. 45-371

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. A02-13

## PLANNING AGENDA

Motion -- carried

Knight moved that the Planning Agenda be approved as consensus Items. Motion carried 7 to 0.

**SUB2001-105**

**SUB2001-105 – PLAT OF GRAY'S FIFTH ADDITION – EAST SIDE OF HOOVER, NORTH OF 47TH STREET SOUTH.** (District IV)

Agenda Report No. 02-1689

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

This plat was recently annexed into the City of Wichita. Upon annexation, the zoning of the property was converted to SF-5, Single-Family Residential and allows for the lot sizes being platted. An overall preliminary plat was approved by the Planning Commission extending south to 47th St. South.

Reserve A will be deeded to the City of Wichita for use as a public park. Petitions, all 100%, have been submitted for sewer, water, drainage and paving improvements. A Certificate of Petitions has also been submitted. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. A Pipeline Notice has been provided in accordance with plat approval. As requested by City Engineering, a sewer easement, and drainage and utility easement have been submitted.



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This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions, restrictive covenant, Pipeline Notice, sewer easement, and drainage and utility easement will be recorded with the Register of Deeds.

Motion --  
-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; and the Resolutions be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 02-362

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89680 (north of 47<sup>th</sup> Street South, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-363

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89682 (north of 47<sup>th</sup> Street South, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-364

Resolution of findings of advisability and Resolution authorizing improving of Main 21, Southwest Interceptor Sewer, (north of 47<sup>th</sup> Street South, east of Hoover) 468-83429, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-365

Resolution of findings of advisability and Resolution authorizing improving of Lateral 1, Main 21, Southwest Interceptor Sewer, (north of 47<sup>th</sup> Street South, east of Hoover) 468-83430, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-366

Resolution of findings of advisability and Resolution authorizing improving of 44<sup>th</sup> Street South, from the west line of Hoover Road, east to the east line of Lot 12, Bloc C., on 44<sup>th</sup> Court South (Lot 8 through 21, Block A) from the north line of 44<sup>th</sup> Street South, north to and including the cul-de-sac, and on 44<sup>th</sup> Ct. South (Lots 22 through 35, Block A) from the north line of 44<sup>th</sup> Street South, north to and including the cul-de-sac), that sidewalk be constructed along one side of 44<sup>th</sup> Street South, 472-83552 (north of 47<sup>th</sup> Street South, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## RESOLUTION NO. 02-367

Resolution of findings of advisability and Resolution authorizing improving of 44<sup>th</sup> Street South from the east line of Lot 12, Block C, east to the west line of Doris, on Flora from the south line of 44<sup>th</sup> Street South, south to the south line of the Plat, and on Doris from the north line of the Plat, south to the south line of the Plat. That there be constructed pavement on Flora Ct. from the west line of Flora, west to and including the Cul-de-sac, on Doris Ct. (Lots 15 through 30, Block C) from the west line of Doris, west to and including the cul-de-sac, on Doris Court (Lots 1 through 8, Block D), from the east line of Doris, east to and including the Cul-de-sac, on Doris Court (Lots 9 through 16, Block D), from the east line of Doris, east to and including the cul-de-sac, and on Doris Court (Lots 17 through 24, Block D) from the east line of Doris, east to and including the cul-de-sac. That sidewalk be constructed along one side of 44<sup>th</sup> Street South, Flora and Dora, according to plans and specifications to be furnished by the City Engineer, 472-83553, (north of 47<sup>th</sup> Street South, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-368

Resolution of findings of advisability and Resolution authorizing installation of a fully actuated traffic signal and pavement markings as necessary, to construct a pedestrian signalization device to serve the intersection on Hoover Road and 44<sup>th</sup> Street South, Gray's Fifth Addition (north of 47<sup>th</sup> Street South, east of Hoover), 472-83554, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 02-369

Resolution of findings of advisability and Resolution authorizing improving of left turn lane for Hoover at 44<sup>th</sup> Street South, Gray's 5<sup>th</sup> Addition, 472-83555, (north of 47<sup>th</sup> Street South, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SUB2002-48

### **SUB2002-48 – PLAT OF SHAVER SECOND ADDITION – NORTH SIDE OF MACARTHUR ROAD, EAST OF I-135.** (District III)

Agenda Report No. 02-1690

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (8-0)

The site has been approved for a zone change (ZON 2001-66) from SF-5, Single-Family Residential to GC, General Commercial subject to platting. A Protective Overlay (P-O #107) was also approved for this site addressing screening.

The site has been approved by the Environmental Health Department for the use of on-site sanitary sewer facilities. A Restrictive Covenant was provided requiring connection to sanitary sewer service upon any new building construction. A Notice of Protective Overlay was provided identifying the approved Protective Overlay. Petitions, all 100%, have been submitted for future sewer improvements. A Certificate of Petition has also been submitted.

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This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, Restrictive Covenant and Notice of Protective Overlay will be recorded with the Register of Deeds.

Motion --

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the Resolution be adopted; and the ZON2002-66 Ordinance be placed on first reading. Motion carried 7 to 0

-- carried

## RESOLUTION NO. 02-370

Resolution of findings of advisability and Resolution authorizing improving of Lateral 92, Main 1, Southwest Interceptor Sewer (north of MacArthur, east of I-235) 468-83483, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2001-00066

**DED2002-19**

### **DED2002-19 – DEDICATION OF STREET RIGHT-OF-WAY – NORTHWEST CORNER OF SALINA AND 31ST STREET NORTH.** (District VI)

Agenda Report No. 02-1691

MAPC Recommendation: Accept the dedication.

As a requirement of Lot Split No. SUB 2002-61, this dedication is being made for street-right-of-way along Salina and along 31st Street North.

The dedication has been reviewed and approved by the Planning Commission (5-0).

There are no financial considerations.

The dedication will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the dedication be approved. Motion carried 7 to 0.

**DED2002-20**

### **DED2002-20 – DEDICATION OF UTILITY EASEMENT – NORTHWEST CORNER OF SALINA AND 31ST STREET NORTH.** (District VI)

Agenda Report No. 02-1692

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-61, and is being dedicated for construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission (5-0).

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There are no financial considerations.

Motion -- carried

Knight moved that the dedication be approved. Motion carried 7 to 0.

**DED2002-21**

**DED2002-21 – DEDICATION OF UTILITY EASEMENT – NORTHWEST CORNER OF 25TH STREET AND BULLINGER.** (District VI)

Agenda Report No. 02-1693

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-62, and is being dedicated for construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission (5-0).

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the dedication be approved. Motion carried 7 to 0.

**ZON2000-00036**

**ZON2000-00036 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR ZONE CHANGE REQUEST FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED COMMERCIAL – NORTH OF TAFT, WEST OF JULIA.** (District V)

Agenda Report No. 02-1694

Staff Recommendation: Approve six-month extension of time to complete platting.

On January 9, 2001, the City Council approved a zone change request from “SF-5” Single-Family Residential to “LC” Limited Commercial on property located north of Taft and west of Julia. Approval of the zone change request was subject to the condition of platting the property within one year. The final plat for the property was approved by the Metropolitan Area Planning Commission (MAPC) on November 8, 2001. At the request of the applicant, staff approved a six-month extension of time to complete platting to July 9, 2002, to allow time to complete the administrative processes involved with the conditions of approval for the plat. One of the conditions of approval is a petition for the installation of a water main along the property’s Julia frontage. The applicant submitted a valid petition for the water main; however, the two property owners on the east side of Julia protested, which triggered a review of the petition by the District Advisory Board (DAB). At the first meeting, the DAB deferred action on the petition until August 5, 2002, which is after the extended platting deadline. Therefore, the applicant now has requested an additional extension of time to complete platting to allow time to complete the review process for the water main petition. MAPC Policy Statement No. 5 indicates that second extensions of time to complete platting require City Council approval.

Motion --  
-- carried

Knight moved that the six-month extension of time to complete platting to January 9, 2003, be approved. Motion carried 7 to 0.

**ZON2000-00030**

**ZON2002-00030 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED INDUSTRIAL – NORTH OF HARRY, EAST OF SABIN.** (District IV)

Agenda Report No. 02-1695

MAPC Recommendation: Approve, subject to staff recommendations (10-0).

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Staff Recommendation: Approve, subject to the submittal of a “no protest” agreement for the paving of Sabin and the dedication by separate instrument of an additional 5 feet of right-of-way for Sabin and an additional 2 feet of utility easement along both the south as east property lines.

The applicant requests a zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial on a 0.36 acre platted tract located north of Harry and east of Sabin. The subject property formally was developed with a single family residence that recently has been razed. The applicant proposes to develop the subject property with an office/warehouse building for a construction business.

The surrounding area is characterized primarily by industrial uses; although, there are almost a dozen single-family residences remaining along Sabin. The property to the south and east are zoned “LI” Limited Industrial and is developed with an electrical contractor’s business. The properties to the north and west are zoned “SF-5” Single-Family Residential and are developed with single-family residences.

Since the property to the north has residential zoning, screening will be required along the north property line. The buffer landscape requirements also will apply along the north property line. The compatibility setback standards will require a 24-foot building setback along the north property line unless a Zoning Adjustment is granted by the Planning Director and Zoning Administrator to reduce or waive the compatibility setback. Since the property to the west has residential zoning, the landscape street yard and parking lot screening requirements will apply to the subject property.

At the MAPC hearing on July 11, 2002, there were no speakers either in favor of or in opposition to the request. The MAPC voted (10-0) to approve the request subject to the staff recommendation.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the zone change, subject to submittal of “no protest” Agreement for paving of Sabin, and dedication of additional five-feet of right-of-way for Sabin and additional two-feet of utility easement, be approved; and the Ordinance be placed on first reading with publication being withheld until the petition is received and the dedications are recorded with the Register of Deeds. Motion carried 7 to 0.

-- carried

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. ZON2002-00030

A02-12

### **A02-12 – ANNEX LAND ONE-FOURTH MILE EAST OF 127TH STREET EAST, NORTH OF HARRY.** (District II)

Agenda Report No. 02-1696

The City has received a request to annex approximately 20 acres situated ¼ mile east of 127th Street East and north of Harry. The site abuts the City of Wichita to the south.

Land Use and Zoning: The annexation site is presently in agricultural use and zoned “SF-20” Single Family Residential. The property owner plans to develop the site with one single-family home. Land surrounding the proposed annexation site is predominantly agricultural with residential homes. Land to the north and east is zoned “SF-20” Single Family, and land west is zoned “SF-20” Single Family and “LC” Limited Commercial. Land south is zoned “SF-5” Single Family. The “SF-20” Single Family zoning of the subject property will convert to “SF-5” Single Family upon annexation.

Public Services: The City Water and Sewer Department indicates that the property will likely connect to an existing 16” City water main, which is located on the south side of Harry. As for sewer, the property owner will be required to extend an 8” line to an existing 30” interceptor crossing the property.

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Street System: The property proposed for annexation has access to Harry (2-lane arterial), which serves the property as a major east-road road, and 127th Street (2-lane arterial), which serves the area as the nearest north-south road (located approximately ¼ mile west of the site). Currently there are plans to rehabilitate 127th Street East from Harry to Mt. Vernon in the 2002-2011 City of Wichita C.I.P. However, there are no plans to improve Harry Road in either the City of Wichita 2002-2011 C.I.P or the Sedgwick County 2002-2006 C.I.P.

Public Safety: Fire services to this site can be provided within a nine (9) to ten (10) minute approximate response time from City Station #15 located at Rock Road and Lincoln or from County Station #38 located at 1010 N. 143rd Street East. However, the City Fire Department indicates that a new fire station will be completed near 127th Street East and Kellogg by the end of next year, which will likely reduce response times to the proposed annexation site. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 South Edgemoor.

Parks: W.B. Harrison Park, a 40-acre park, is located approximately 2 miles northwest of the proposed annexation site. A bike pathway is proposed along Harry Road in the 1996 Parks and Open Space Plan.

School District: The property is located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Comprehensive Plan.

The current appraised value of the proposed annexation area is \$40,000 resulting in an assessed value of \$12,000 for agricultural land. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$377 in City annual tax revenues for the property. The future assessed value of this property will depend on the timing of development and the current mill levy. However, the property owner projects an overall appraised value of \$300,000 when the residential development is completed, resulting in an assessed value of \$34,500. Assuming the current City levy remains about the same, this would roughly yield \$1,084 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --  
-- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A02-12

## AIRPORT AGENDA

The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

## AIRPORT

### SUPPLEMENTAL NO. 3 - FLIGHTSAFETY INTERNATIONAL.

Agenda Report No. 02-1697

On November 6, 2001, the City Council approved a bond lease agreement with FlightSafety International (FSI) for facilities located at 1851 and 1951 Airport Road, and 2 Learjet Way. The purpose of the agreement was to extend the terms, set out rental rates, and allow for a \$3 Million

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expansion to the facility located at 1951 Airport Road. The term of the agreement is through November 1, 2006, and includes five, five-year renewal options, subject to renegotiation of rates at various points. FSI also operates an aircraft mechanics training center located at 1962 Midfield Road on Wichita Mid-Continent Airport. Terms for this facility are included under a separate agreement through March 31, 2020.

As part of the negotiation process, FSI requested that the lease agreement for the aircraft mechanics training center be amended to reflect the same ending date as included in the bond lease. This would extend the agreement from March 31, 2020 through October 31, 2021. In addition, it would provide two, five-year options to renew through 2031. Rental for the period commencing April 1, 2020 through October 31, 2031 would be at fair market rental value.

There is no financial impact until April 1, 2020. At that time, the WAA will receive fair market rental value for the facility, as opposed to the current arrangement which calls for land rent only.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## AIRPORT

### AIRPORT MARKETING CAMPAIGN.

Agenda Report No. 02-1698

Wichita Mid-Continent Airport experiences new or expanded airline service that is best promoted locally in order for the traveling public to be aware of these services. The Wichita Airport Authority finds it to be in the best public interest to promote new or expanded air service. The level of promotion and the nature and scope of the promotion is determined on an individual basis dependent upon the service to be promoted and the availability of funding. It is anticipated that contractors will perform this work under the direction of City staff.

An official RFP was distributed through our Purchasing Department. The entries were reviewed by a committee consisting of Airport officials, Fair Fare\$ committee members and representatives from the City Manager's Office. After reviewing entries and presentations, it was determined that Greteman Group would be the best agency for this campaign. The committee selected this agency because they had offered a creative platform that had both short-term and long-term capabilities, and were able to stretch the allocated budget the furthest in media and territory.

The proposed services will not exceed \$250,000. The necessary budget adjustment has been made and authorized through City Council on June 25th.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## AIRPORT

### COMMUNICATIONS CABLE PLANT.

Agenda Report 02-1699

The 2002 Capital Improvement Program (CIP) allows for utility improvements, which includes modifications to the communications cable plant. In addition to being the backbone for the Authority operated telephone system, this cable plant supports the airport-wide security system, the environmental control system, the runway lights controls and the administrative network.

It is necessary from time to time to extend, modify, repair and maintain the cable plant to fulfill the obligations that come with being the operator of such a network. Examples include the extension of cabling to meet tenant expansion needs, relocation to accommodate facility construction and installation to address new location requirements of the security system.

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The modifications are estimated to cost \$50,000.

Motion -- carried

Knight moved that the budget be approved. Motion carried 7 to 0.

## AIRPORT

### UTILITY IMPROVEMENTS.

Agenda Report No. 02-1700

On February 5, 2002 City Council approved a contract with Wildcat Construction to extend sanitary sewer and water line mains to accommodate future development.

The change order adjusts quantities to reflect what was built plus adds an isolation valve in the water main.

The cost of the change order is \$10,772.00 and will be funded with airport revenue. Funding is available within the approved capital project budget.

The change order will be approved by the Law Department.

Motion --  
-- carried

Knight moved that the Change Order be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## AIRPORT

### AIRPORT LIMOUSINE SERVICE.

Agenda Report No. 02-1701

Chapter 3.88 of the Code of the City of Wichita requires that anyone desiring to carry passengers for hire to/from any point on Wichita Mid-Continent Airport to/from any point within the City of Wichita must have approval to do so. Companies desiring to provide this service must obtain a Certificate of Public Convenience and Necessity, and have an approved vehicle inspection report prior to being allowed to operate. In addition, companies are required to enter into an agreement with the Wichita Airport Authority to serve the airport.

Ambassador Shuttle Service is desirous of providing airport shuttle service using a seven-passenger van. Hours of operation will match arrival and departure times of the various airlines. Three other shuttle services, three taxicab companies, and one limousine service now serve Wichita Mid-Continent Airport.

Revenue to the WAA will be \$50 per month for the opportunity to do business on the airport. If the company chooses to be listed on the phone board in the terminal building, there will be an additional \$50 per month charge.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to potential litigation and legal advice; preliminary discussions relating to the acquisition of real property for public purposes; and confidential data relating to the financial affairs or trade secrets of a business; and that the Council return from executive session no earlier than 10:55 am. Motion carried 7 to 0.



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RECESS

The City Council recessed at 10:22 a.m., moved into executive session at 10:35 am., and returned to regular session at 11:05 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 11:05 a.m.

Pat Burnet CMC  
City Clerk